

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
 Plaintiff,)
)
 v.)
)
SHIU-MING SHIUE)
 Defendant.)

CR-05-10021-NMG

MONEY JUDGMENT

GORTON, D.J.,

WHEREAS, On or about November 20, 2003, a federal grand jury sitting in the Northern District of Illinois Eastern Division returned a ten-count Indictment charging Shih-Ming Shiue (the "Defendant"), and I-Hwa Shiue¹, with Conspiracy to Commit Offense or to Defraud United States, in violation of 18 U.S.C. §371, and Aiding and Abetting, in violation of 18 U.S.C. §2 (Count One); Entry of Goods by Means of False Statements, in violation of 18 U.S.C. §542, and Aiding and Abetting, in violation of 18 U.S.C. §2 (Counts Two through Seven, Nine and Ten), Bribery of Public Officials and Witnesses, in violation of 18 U.S.C. §201(b)(1), and Aiding and Abetting, in violation of 18 U.S.C. §2 (Count Eight);

AND WHEREAS, the Indictment contained a criminal forfeiture allegation seeking the forfeiture, pursuant to 18 U.S.C. 982(a)(2)(B), as a result of committing the offenses alleged in Counts One through Ten of the Indictment, of any and all property

¹Pursuant to Rule 20(a), I-Hwa Shiue is no longer under this Court's jurisdiction, and has been remanded to the Northern District of Illinois.

constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offenses, specifically including, but not limited to, approximately \$29,000,000;

AND WHEREAS, on or about February 1, 2005, this case was transferred to the District of Massachusetts, and, on or about October 25, 2005, pursuant to a written plea agreement, the Defendant, Shih-Ming Shiue pled guilty to Counts One through Ten of the Indictment and agreed that the Defendant would forfeit to the United States \$5,065,000 on the grounds that these assets constituted proceeds of the Defendant's unlawful activity;

AND WHEREAS, based on the Defendant's guilty plea and the written plea agreement, the United States is seeking a personal money judgment against the Defendant in the amount of \$5,065,000;

ACCORDINGLY, it is hereby ORDERED, ADJUDGED and DECREED:

1. Based on the Defendants' guilty plea and the written plea agreement, the United States' Motion for Entry of a money judgment in the amount of \$5,065,000 against the Defendant is ALLOWED.²

2. Pursuant to 21 U.S.C. §853(m) and Rule 32.2(b)(3), the United States is hereby authorized to conduct discovery in order to facilitate the identification and location of any and all assets subject to forfeiture, as a result of the Defendant's guilty plea.

² The United States, in a simultaneously-filed motion, is seeking a Preliminary Order of Forfeiture for a substitute asset, 41 Fairbanks Road, Lexington, Massachusetts ("the 41 Fairbanks Road Property."). Of course, if the 41 Fairbanks Road Property is forfeited to the United States and, ultimately, sold, the net proceeds received by the United States from the sale would be subtracted from the money judgment owed by the Defendant.

3. In the event that assets are identified which are subject to forfeiture pursuant to 21 U.S.C. §853(p), the United States will seek an amended Order and conduct ancillary proceedings pursuant to 21 U.S.C. §853(n) and Rule 32.2(e).

4. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, this money judgment shall become final as to the Defendant at the time of sentencing, or at any time before sentencing if the Defendants consent, and must be made a part of the sentence and included in the judgment.

5. This Court shall retain jurisdiction to enforce this order and to amend it as necessary pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.


NATHANIEL M. GORTON
United States District Judge

Date: 2/13/06